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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/321,738	05/28/1999	LEE C. HAROLD	53470.000006	6984

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EXAMINER

SINGH, RACHNA

ART UNIT PAPER NUMBER

2176

DATE MAILED: 04/02/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

SL

Office Action Summary

Application No.

09/321,738

Applicant(s)

HAROLD ET AL.

Examiner

Rachna Singh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/8/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment C filed 10/8/03.
2. Claims 1-14 and 16-20 are pending in the case. Claims 1, 8, 16, and 20 are independent claims.

Response to Arguments

3. Applicant has traversed the rejection stating that Yost does not qualify as prior art under the common assignee exception as set forth in 35 U.S.C. 103(c). Yost cannot be disqualified under the common assignee exception as set forth in 35 U.S.C. 103(c) as the change to 35 U.S.C. 103(c) only applies to applications filed on or after November 29, 1999. The filing of a request for ^{continued} examination does not affect the application. See MPEP 706.02(I)(1) Rejections Under 35 U.S.C. 102(e)/103; 35 U.S.C. 103(c) [R-1]

OT 3/31/04

"Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention "were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." This change to 35 U.S.C. 103(c) applies to all utility, design and plant patent applications filed on or after November 29, 1999, including continuing applications filed under 37 CFR 1.53(b), continued prosecution application filed under 37 CFR 1.53(d), and reissues. The amendment to 35 U.S.C. 103(c) does not affect any application filed before November 29, 1999, a request for examination under 37 CFR 1.129 of such an application, nor a request for continued examination under 37 CFR 1.114 of such an application."

Since Applicant has not argued the merits of the rejections, Examiner's rejections have been maintained in view of the comments above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 8-10, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yost et al., US Patent 6,567,796 B1, 5/20/03 (filed provisional on 3/23/99).

In reference to claim 1, Yost teaches a system and method for management of an automatic OLAP report system. Specifically Yost teaches the following:

- An OLAP system for accessing information to perform report analysis. A system for receiving output from the OLAP system. See abstract and column 3.

Compare to ***“report receiving means for receiving a report processed by the OLAP system”***.

- Generating a spreadsheet module that presents the report in a spreadsheet program format. See columns 14-15. Compare to ***“report presenting means for generating a spreadsheet application for that report”***.

- A spreadsheet module for presenting reports and analyses to be presented in a spreadsheet program format over a network. The network enables the user system to access the server system. See columns 14-15. Compare to ***“report transmission means for transmitting the spreadsheet application within a***

page over the network to a user system to be displayed in the network user interface".

Yost teaches a system for managing an OLAP report system in which reports are transmitted in the form of a spreadsheet application, thus it would have been obvious to one of ordinary skill in the art at the time of the invention to transmit a spreadsheet application within a page over a network as it was well known in the art at the time of the invention to provide reports in the form of a spreadsheet application and a spreadsheet implemented within the page is equivalent to a report presented in a spreadsheet application .

In reference to claim 2, Yost teaches that the system can be a relational OLAP system. See column 16, lines 62-64 and columns 1-2.

In reference to claim 3, Yost teaches a personalization module which enables users to specify content for a service. Users can personalize style parameters to tailor the format of the report. See columns 7-8.

Claims 8-10 are rejected under the same rationale used in claims 1-3 respectively above.

Claims 16 and 20 are rejected under the same rationale used in claim 1 above.

6. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yost et al., US Patent 6,567,796 B1, 5/20/03 (filed provisional on 3/23/99) in view of Siow et al., US Patent 6,301,590, 10/9/2001 (filed 8/11/97).

In reference to claims 4 and 11, Yost does not disclose a format of a merged report; however, Siow discloses a system in which the user can specify multiple reports

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and format for the display of the multiple reports on a single page. See column 9, lines 32-61. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Siow's system of merging reports into Yost's system since it allows a user to present information from multiple reports within a workbook or project report in a single presentation.

7. Claims 5-7, 12-14, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yost et al., US Patent 6,567,796 B1, 5/20/03 (filed provisional on 3/23/99) in view of Comer et al., US Patent 5,819,293, 10/6/98.

In reference to claims 5, Yost's system does not disclose a means for receiving report requests comprised of macros and a presenting means with macros to modify the presentation of the report; however, Comer teaches using code in the form of a macro to execute various form instances. Comer teaches using macro facilities for providing various formatting options including printed pages and text, numeric values, captions, and legends in graphs. Comer's system teaches the use of a spreadsheet template to make changes to spreadsheet programs. See columns 1-2. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yost's system of presenting a report and a spreadsheet application with Comer's spreadsheet template for altering formats using macros since Comer's invention is related to altering presentation means in a report such as that of Yost's reports.

In reference to claim 6, Yost teaches using an API module for defining reporting capabilities. Comer allows for the creation of macros for use in formatting the reports. Yost teaches using macros to allow a user to create a custom application project

generator according to the API module. It would have been obvious to incorporate Comer into the system disclosed by Yost since it shows how to customize a report (such as that in a spreadsheet) with the use of macros and API modules.

In reference to claims 7, Comer discloses using macros to manipulate the format of the spreadsheet application. The rest of claim 7 is rejected under the same rationale used in claim 5 above.

Claims 12-14 and 17-19 are rejected under the same rationale used in claims 5-7 respectively above.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 703.305.1952. The examiner can normally be reached on M-F (8:30-5).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 703.305.9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

RS
3/30/04


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER